

SENATE BILL 371

By Bunch

AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 35, Part 3 and Title 40, Chapter 39, Part 3, relative to the monitoring of certain sexual offender and violent sexual offenders.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 39, Part 3, is amended by adding the following new section:

§ 40-39-307.

(a) Notwithstanding any other provision of law, the board of probation and parole shall require, as a mandatory condition of release, that any person convicted of an offense specified in subsection (b) and who is released under its supervision be enrolled in a satellite-based monitoring program for the full extent of the person's term of probation or parole, consistent with the requirements of § 40-39-302.

(b) The provisions of this section shall apply to any person convicted of a sexual offense, as defined in § 40-39-202 or a violent sexual offense, as defined in § 40-39-202, on or after July 1, 2007, where the victim of such offense is a minor and the defendant is at least eighteen (18) years of age.

(c) The guidelines, procedures and other provisions established in this part for the serious and violent sex offender monitoring pilot project shall, to the extent possible, also govern the sexual offenders and violent sexual offenders monitored pursuant to this section.

SECTION 2. Tennessee Code Annotated, Section 40-35-303, is amended by adding the following as a new subsection:

(p)

(1) Notwithstanding any other provision of law, the court shall require, as a mandatory condition of probation, that any person convicted of an offense specified in subdivision (P)(2) and who is released on probation under the supervision of the court or the board of probation and parole be enrolled in a satellite-based monitoring program for the full extent of the person's term of probation, consistent with the requirements of § 40-39-302.

(2) The provisions of this section shall apply to any person who is granted probation following conviction of a sexual offense, as defined in § 40-39-202 or a violent sexual offense, as defined in § 40-39-202, on or after July 1, 2007, where the victim of such offense is a minor and the defendant is at least eighteen (18) years of age.

(3) The guidelines, procedures and other provisions established in title 40, chapter 39, part 3 for the serious and violent sex offender monitoring pilot project shall, to the extent possible, also govern the sexual offenders and violent sexual offenders monitored pursuant to this subsection.

SECTION 3. For purposes of implementing the provisions of this act, it shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, it shall take effect on July 1, 2007, the public welfare requiring it.